

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

SEP 09 2019

Clerk, U.S. District Court
District Of Montana
Missoula

CANDI LEE LILES,

Plaintiff,

vs.

DAN WILSON,

Defendant.

CV 19-91-M-DLC-JCL

ORDER

United States Magistrate Judge Jeremiah C. Lynch entered his Findings and Recommendation on June 12, 2019, recommending that the Court dismiss this action for lack of jurisdiction. (Doc. 3 at 4.) Plaintiff Candi Lee Liles failed to timely object to the Findings and Recommendation, and so waived the right to de novo review of the record. 28 U.S.C. § 636(b)(1). This Court reviews for clear error those findings and recommendations to which no party objects. *See Thomas v. Arn*, 474 U.S. 140, 149-53 (1985). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been made.” *Wash. Mut., Inc. v. United States*, 856 F.3d 711, 721 (9th Cir. 2017) (citation omitted).

Having reviewed the Findings and Recommendation, the Court finds no clear error in Judge Lynch’s recommendation to dismiss Liles’s complaint. Liles

has not alleged facts suggesting that any party to this litigation is a citizen of a state other than Montana, and she must show complete diversity of citizenship to proceed. (Doc. 3 at 3.)

Accordingly, IT IS ORDERED that:

- (1) Judge Lynch's Findings and Recommendation (Doc. 3) is ADOPTED IN FULL;
- (2) Plaintiff Candi Lee Liles' complaint (Doc. 1) is DISMISSED for lack of jurisdiction; and
- (3) The Clerk of Court shall enter judgment for the Defendant and close this case.

DATED this 9th day of September, 2019.



Dana L. Christensen, Chief Judge
United States District Court